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PPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/655,964	09/06/2000	David M. Singleton	TH0681N (US)	9045
7590 12/18/2003			EXAMINER	
Yukiko Iwata			OGDEN JR, NECHOLUS	
Shell Oil Compa	any, Intellectual Property			
PO Box 2463			ART UNIT	PAPER NUMBER
Houston, TX 77252-2463			1751	

DATE MAILED: 12/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

						
	Application No.	Applicant(s)				
Office Action Summers	09/655,964	SINGLETON ET AL.				
Office Action Summary	Examiner	Art Unit				
	Necholus Ogden	1751				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply						
A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, the maximum statutory period w - Failure to reply within the set or extended period for reply will, by statute, - Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b). Status	36(a). In no event, however, may a reply be time within the statutory minimum of thirty (30) days will apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	nely filed s will be considered timely. the mailing date of this communication.				
1) Responsive to communication(s) filed on 24 No.	ovember 2003.					
2a) ☐ This action is FINAL . 2b) ☑ This a	This action is FINAL. 2b)⊠ This action is non-final.					
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.						
Disposition of Claims						
 4) Claim(s) 1-10,12,70-73 and 75-102 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) 101 is/are allowed. 6) Claim(s) 1-10,12,70-73,75-100 and 102 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. 						
Application Papers						
9) The specification is objected to by the Examiner 10) The drawing(s) filed on is/are: a) acce Applicant may not request that any objection to the d Replacement drawing sheet(s) including the correction 11) The oath or declaration is objected to by the Example Priority under 35 U.S.C. §§ 119 and 120	epted or b) objected to by the E Irawing(s) be held in abeyance. See on is required if the drawing(s) is obje	37 CFR 1.85(a). ected to. See 37 CFR 1.121(d).				
12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority documents 2. Certified copies of the priority documents 3. Copies of the certified copies of the priori application from the International Bureau * See the attached detailed Office action for a list of the since a specific reference was included in the first 37 CFR 1.78. a) The translation of the foreign language provents 14) Acknowledgment is made of a claim for domestic reference was included in the first sentence of the Attachment(s)	have been received. have been received in Application ty documents have been received (PCT Rule 17.2(a)). If the certified copies not received priority under 35 U.S.C. § 119(e) to sentence of the specification or received priority under 35 U.S.C. § 120 application has been received priority under 35 U.S.C. §§ 120 application to the specification of the specification has been received priority under 35 U.S.C. §§ 120 application has been received.	on No d in this National Stage d.) (to a provisional application) in an Application Data Sheet. eived. and/or 121 since a specific				
ιταcnmenτ(s)) Notice of References Cited (PTO-892)	4) Interview Summary (PTO-413) Paper No(s)				
Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449) Paper No(s)	5) Notice of Informal Pa	tent Application (PTO-152)				

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DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11-24-2003 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

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Response to Arguments

3. Applicant's arguments, filed 11-24-2003, with respect to WO 85/02175 have been fully considered and are persuasive. The 103 rejection of claims 1-10, 12, 70-73, 75-101 has been withdrawn.

Claims 1-10, 12, 70-73, 75-100 and 102 are rejected under 35 U.S.C. 102(e) as being anticipated by Singleton (5,780,694).

Singleton discloses a composition comprising a primary alcohol having an average number of branches ranging from 0.9 to 2.0 per molecule and wherein the primary alcohol sulfates made from said alcohols are readily biodegradable (col. 5, lines 57-67). Singleton teaches that said less than 25% branching at the C2 or C3 position (col. 6, lines 1-10); and 10-30% of ethyl branching and 10 to 50% of methyl branching (col. 5, lines 25-38). Moreover, Singleton teaches that said primary alcohols have less than 0.3 atom% of quaternary carbon atoms (col. 4, lines 30-40). See examples and claims.

Allowable Subject Matter

4. Claim 101 is allowed.

As this reference teaches all of the instantly required it is considered anticipatory.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Necholus Ogden whose telephone number is 703-308-3732. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra N. Gupta can be reached on 703-308-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9310.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

> Mechblus Ogden Primary Examiner Art Unit 1751

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No December 10, 2003